

Application No.: 10/01134

REMARKS / ARGUMENTS***Remaining Claims***

Fourteen (14) claims (Claims 1, 3 – 10, and 12 – 16) remain pending in this application through this Amendment. Claims 2 and 11 have been deleted and Claims 1, 3 – 10, and 12 – 16 have been amended herein. As explained in more detail below, Applicants have amended the claims to more clearly point out and distinctly claim the invention, and submit that all claims are now in condition for allowance and respectfully request such action. Attached hereto is a marked-up version of the changes made to the claims by the present amendment. The attached page is captioned "Version With Marking To Show Changes Made."

Rejection of Claims 1 – 16

Claims 1 – 16 stand objected to because of various informalities. Applicants have amended the claims as suggested by the Examiner in order to rectify such informalities and, therefore, respectfully request that this rejection be withdrawn.

Rejection of Claims 5 – 16

Claims 5 – 16 stand objected to as being in improper form because a multiple dependent claim cannot depend on other multiple dependent claims. Applicants have amended Claims 5 – 16 to remove such multiple dependency and, therefore, respectfully request that this rejection be withdrawn.

Rejection of Claims 1 and 2 under 35 USC §102(b) - Nishiyama

Claims 1 and 2 stand rejected under 35 USC §102(b) as anticipated by Patent/Publication No. JP 59-215838 to *Nishiyama*.

Nishiyama relates to a device characterized by an injection molding machine, reflection layers, a cavity, and cavity core which are irradiated separately by optical fibers. The device structure and the elements present in this reference are directed to obtain a quick solidification of the molding. As a matter of fact, such a device would not be suitable for the production of contact lenses where an injection machine would cause a lack of uniform mixing of the polymer and an uncontrolled irradiation would result in uneven cross-linking.

On the other hand, the IJV illumination device claimed in the present application is directed toward the successful manufacture of contact lenses. For such a purpose,

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special casting molds consisting of two mold halves are used, no reflection layer is present and only one fiber irradiates each casting mold.

Therefore, because *Nishiyama* does not teach each and every of the claimed elements of the present invention, Claims 1 and 2 are not anticipated by this reference. Applicants, therefore, respectfully request that this rejection be withdrawn.

Rejection of Claims 3 – 4 under 35 USC §103(a) - Nishiyama in view of Biller

Claims 3 – 4 stand rejected under 35 USC §103(a) as being obvious under Patent/Publication No. JP 59-215838 to *Nishiyama* in view of US Patent No. 5,824,373 to *Biller, et al.*.

Nishiyama has been discussed above. *Biller* does not provide further teachings as to render the claimed invention obvious. Accordingly, since the cited combination of prior art does not fairly teach or suggest the claimed invention, Claims 3 – 4 are not rendered obvious by *Nishiyama* in view of *Biller, et al.* Applicants, therefore, respectfully request that this rejection be withdrawn.

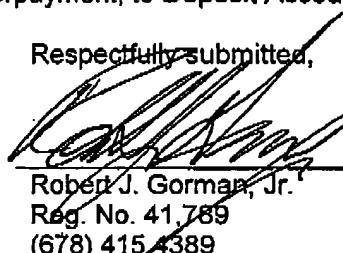
CONCLUSION

In view of the foregoing and in conclusion, Applicants submit that the 35 USC §§102 and 103 rejections set-forth in the Office Action have been overcome, and that the pending claims are not anticipated by or obvious over the cited art, either individually or in combination. Applicants request reconsideration and withdrawal of the rejection(s) set-forth in the Office Action. Should the Examiner believe that a discussion with Applicants' representative would further the prosecution of this application, the Examiner is respectfully invited to contact the undersigned.

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Please address all correspondence to Novartis Corporation, Corporate Intellectual Property, One Health Plaza, Bldg. 430, East Hanover, NJ 07936-1080. The commissioner is hereby authorized to charge any other fees which may be required under 37 C.F.R. §1.16 and 1.17, or credit any overpayment, to Deposit Account No. 19-0134.

Respectfully submitted,



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VERSION WITH MARKING TO SHOW CHANGES MADE***In the Claims***

Please delete Claims 2 and 11.

Please amend Claims 1, 3 – 10, and 12 – 16 as follows:

1. (once amended) UV illuminating device for crosslinking biocompatible, polymerisable material in order to produce an ophthalmic moulding, ~~especially an ophthalmic lens, in particular a contact lens, which is produced by crosslinking with UV light~~ in a casting mould consisting of two mould halves, ~~characterised by comprising at least one or more UV lamps lamp which are each is surrounded by several a plurality of optical fibres, whereby the wherein each optical fibres transmit the light emitting from the UV lamp to one or more casting moulds fibre is linked to one casting mould.~~
3. (once amended) UV illuminating device according to claim 1 or claim 2, ~~whereby wherein~~ the UV lamp in question is a mercury lamp.
4. (once amended) UV illuminating device according to claim 3, ~~whereby wherein~~ the UV lamp in question is a doped mercury lamp.
5. (once amended) UV illuminating device according to ~~one or more of claims 1 to 4, whereby Claim 1, wherein~~ the optical fibres in question are liquid optical fibres.
6. (once amended) UV illuminating device according to ~~one or more of claims 1 to 5, whereby Claim 1, wherein~~ the emission spectrum of the UV lamp has a high UV intensity at 280 - 360 nm.
7. (once amended) UV illuminating device according to ~~one or more of claims 1 to 6, whereby Claim 1, further comprising~~ a sensor, ~~wherein the sensor measuring measures~~ the radiation intensity of the UV lamp ~~and is provided and connected to a regulating unit to regulate the UV radiation.~~
8. (once amended) UV illuminating device according to ~~one or more of claims 1 to 7, whereby Claim 1, further comprising~~ a measuring unit ~~is provided to measure which measures~~ the emitting UV radiation intensity.
9. (once amended) UV illuminating device according to one or more of claims 1 to 8, ~~whereby, wherein~~ in order to couple in the UV radiation, a quartz rod is respectively provided between the UV lamp and the light admission area of ~~each of the optical fibre fibres.~~

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10. (once amended) UV illuminating device according to claim 9, whereby wherein a cut-on filter is provided between the quartz quartz rod and the optical fibre in order to absorb short-waved UV radiation.
12. (once amended) UV illuminating device according to ~~one or more of claims 1 to 11~~, whereby Claim 1, wherein a diaphragm is provided between the optical fibre and the UV lamp.
13. (once amended) UV illuminating device according to claim 12, whereby wherein the aperture of the diaphragm is adjusted by means of a stepping motor unit.
14. (once amended) UV illumination device according to ~~one or more of claims 8 to 13~~, whereby Claim 1, wherein the aperture of the diaphragm is controlled in accordance with the measurement of UV radiation intensity being emitted.
15. (once amended) UV illuminating device according to ~~one or more of claims 1 to 14~~, whereby Claim 1, wherein a UV condenser is mounted between the optical fibre and the upper mould half.
16. (once amended) UV illuminating device according to ~~one or more of claims 1 to 15~~, whereby Claim 1, wherein the optical fibres are arranged radially around the UV lamp in relation to the longitudinal axis of the UV lamp.

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hereon the date of receipt of the items checked below. Amendment/Response/Letter - Fee \$ 102 Appln. Filing Papers - Fee \$ 30 PCT National Stage Provisional Application CPA DIV CONT CIP Specification _____ Pg's Executed/Unexecuted Decl. - Fee \$ 10 Linda C. Rothwell Missing Parts/Missing Re Preliminary Amendment _____ Claim of Priority Certified Copy(s) Amendment After Final _____ Notice of Appeal - Fee \$ _____ Appeal Brief - Fee \$ _____ Issue Fee Payment \$ _____ Assignment Rec. Req. - Fee \$ _____ Formal Drawings _____ Pg's IDS _____ Pg's - Fee \$ _____ PTO-1449 Form _____ Pg's Pet. for Ext. of Time - Fee \$ 10.00 Pet. to Convert to Prov. Appln. - Fee \$ _____ Seq. Listings _____ Pg's/Seq. Disk _____ _____Initials BJS

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